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September 21, 2022

BY ECF

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Carlos Melo,*
21 Cr. 311 (SHS)

Dear Judge Stein:

This letter is respectfully submitted on behalf of defendant Carlos Melo, whom I represent in the above-entitled matter, and for the reasons set forth below requests an adjournment of 45 days of the date by which Mr. Melo's pretrial motions must be filed. This is the second request for an extension. I have been in contact with Assistant United States Attorney Kaylan E. Lasky, and she has informed me the government does not object to this application, which also includes a corresponding adjustment of the schedule for the government's response and Mr. Melo's reply, and Mr. Melo's consent to exclusion of time pursuant to the Speedy Trial Act.

As anticipated in my September 2, 2022, letter to the Court, I served upon the government September 6, 2022, a letter seeking specific items of discovery and exculpatory material and information pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963). The requested materials and information are essential to Mr. Melo's defense. This week the government informed me it is working on producing certain material, and attempting to obtain other material, responsive to the requests in my letter. However, that process will not be complete by this Friday, September 23, 2022, the current due date for Mr. Melo's motion.

The government estimates that the process of production will last another 45 days, at which point the motions would be ripe for presentation to the Court for decision with respect to any remaining items that have not been produced. Production would also narrow the range of documents and information the defense would have to seek independently, *i.e.*, through the Court via Letters Rogatory (another of Mr. Melo's projected pretrial motions).

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As a result, at this point both Mr. Melo and the government believe it would be more efficient to complete that production process before presenting fewer and far more precise issues for the Court that require adjudication, and would at least reduce if not eliminate the need for an alternative means of seeking the materials that could be far more protracted.

The revised motion schedule would be as follows:

Mr. Melo's motions:	November 7, 2022
Government's response:	November 28, 2022
Mr. Melo's reply:	December 8, 2022

Also, presently a pretrial conference is scheduled for October 27, 2022, at 10:00 a.m. Neither party objects if the Court grants this request to revise the motion schedule and determines that the pretrial conference should be adjourned as well until a later date. In that context, Mr. Melo consents to exclusion of time (for purposes of the Speedy Trial clock) until either his files his pretrial motions (which would toll that clock) or the date of the pretrial conference.

Accordingly it is respectfully requested that the Court extend for 45 the time for filing of Mr. Melo's pretrial motions, with corresponding revisions to the schedule for the government's response and Mr. Melo's reply as set forth above. As noted *ante*, the government does not object to this application.

Respectfully submitted,



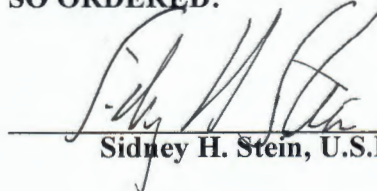
JLD/

Joshua L. Dratel

The revised motion schedule as set forth above is granted. The conference is adjourned to December 16, 2022, at 11:00 a.m. The time is excluded from calculation under the Speedy Trial Act from today until December 16, 2022. The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to 18 U.S.C. Sec. 3161(h)(7)(A).

**Dated: New York, New York
September 22, 2022**

SO ORDERED:



Sidney H. Stein, U.S.D.J.